

## Sheldrake, Sean

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**From:** Sheldrake, Sean  
**Sent:** Tuesday, May 28, 2013 5:34 PM  
**To:** 'Wyatt, Robert'  
**Cc:** Cora, Lori; pdost@pearllegalgroup.com; 'Peterson, Lance'  
**Subject:** RE: NW Natural Response to EPA Letter on US Moorings Sediments Area, Gasco Sediments Site

Bob,

The letter didn't actually present those options—those were presented in the 11/29/12 letter. This letter simply re-states /references the earlier letter and establishes a schedule for delivery of a work plan for data collection. Accordingly, the dispute deadline that was extended simply relates to the schedule presented on May 10.

We can meet with you to discuss the letter; however, delay of the meeting will not necessarily mean that EPA will grant further schedule extensions (as you recall NWN has cancelled the subject meeting twice previously).

Thank you.

S

Sean Sheldrake, Unit Diving Officer, RPM  
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**From:** Wyatt, Robert [mailto:rjw@nwnatural.com]  
**Sent:** Tuesday, May 28, 2013 1:56 PM  
**To:** Sheldrake, Sean  
**Cc:** Cora, Lori; pdost@pearllegalgroup.com  
**Subject:** RE: NW Natural Response to EPA Letter on US Moorings Sediments Area, Gasco Sediments Site

Sean,

Thank you for your May 22, 2013 letter regarding substantial product evaluation at the U.S. Moorings site. Your letter presents NW Natural with two options: 1) accept the findings of the U.S. Environmental Protection Agency's (EPA's) substantial product evaluation and incorporate this information into the Gasco Engineering Evaluation/Cost Analysis (EE/CA); or 2) conduct additional sampling to verify the presence of substantial product.

Your email dated May 10, 2013 agreed to meet with us within 30 days to discuss our evaluation of data collected offshore of the U.S. Moorings site. NW Natural would like to meet with you to further discuss the issues and analyses summarized in our May 15, 2013 letter so that we can better evaluate how EPA will make decisions for the site using the two options it has provided. We think it would be helpful to have our attorneys attend this meeting, and so our attorney will coordinate with Lori Cora to schedule the meeting.

Consistent with your May 10 email, we understand that our dispute deadline runs seven days after we meet.

Bob

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**From:** Sheldrake, Sean [sheldrake.sean@epa.gov]  
**Sent:** Wednesday, May 22, 2013 2:43 PM  
**To:** Ryan Barth  
**Cc:** Peterson, Lance; Carl Stivers; Wyatt, Robert; Patty Dost; Ben Hung; James Peale; [WEARLE@davisrothwell.com](mailto:WEARLE@davisrothwell.com); 'agladstone@davisrothwell.com'; [myron.burr@siltronic.com](mailto:myron.burr@siltronic.com); Dana Bayuk ([bayuk.dana@deq.state.or.us](mailto:bayuk.dana@deq.state.or.us)); Humphrey, Chip; Koch, Kristine  
**Subject:** RE: NW Natural Response to EPA Letter on US Moorings Sediments Area, Gasco Sediments Site

Ryan, Bob,

Please see EPA's letter to respond to your May 15 transmittal. Let me know if you have any questions.

Thank you.

S

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**From:** Ryan Barth [<mailto:rbarth@anchorgea.com>]  
**Sent:** Wednesday, May 15, 2013 4:47 PM  
**To:** Sheldrake, Sean  
**Cc:** Peterson, Lance; Carl Stivers; Bob Wyatt; Patty Dost; Ben Hung; James Peale; [WEARLE@davisrothwell.com](mailto:WEARLE@davisrothwell.com); 'agladstone@davisrothwell.com'; [myron.burr@siltronic.com](mailto:myron.burr@siltronic.com)  
**Subject:** NW Natural Response to EPA Letter on US Moorings Sediments Area, Gasco Sediments Site

On behalf of NW Natural, attached please find a technical analysis of the US Moorings sediments area issue per your request in item 1 below. Thanks.

Ryan Barth, P.E.  
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**From:** Sheldrake, Sean [<mailto:sheldrake.sean@epa.gov>]  
**Sent:** Friday, May 10, 2013 4:33 PM  
**To:** Bob Wyatt  
**Cc:** Ryan Barth; Carl Stivers; Peterson, Lance; Dana Bayuk  
**Subject:** RE: Gasco Sediments Site

Bob,

This email serves as a schedule extension to the 30 day workplan requirement, as noted below. However, I do need to point out that the dispute timeframe has past for the EPA requirement of modification of the draft ee/ca removal action area for further ee/ca consideration (next revision) or alternatively, obtaining additional samples (see attached). EPA is amenable to looking at alternate schedule proposals from NWN as well as new information of course as you've suggested below. Accordingly, I've noted that dispute of a workplan timeframe can be held until after the meeting to ensure adequate time is given for development of a plan, but not the substance of what is set out in the November 29, 2012 letter for which the dispute timeframe has already passed.

Revised schedule:

1. NW Natural submits a technical analysis of the issue by next Friday (May 17th, 2013).
2. Within 30 days of that date NW Natural will meet with EPA to discuss the evaluation and to determine if EPA still believes additional samples may be necessary. EPA will extend the deadline for initiating dispute resolution concerning the work plan **deadline** until 7 days after the meeting.
3. A workplan to fulfill requirements of the November 29, 2012 letter is due 90 days from today's date, unless otherwise approved by EPA.

Please let me know if you have any questions.

Thank you.

S

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**From:** Wyatt, Robert [<mailto:rjw@nwnatural.com>]  
**Sent:** Friday, May 10, 2013 4:05 PM  
**To:** Sheldrake, Sean  
**Cc:** Ryan Barth; Carl Stivers  
**Subject:** Gasco Sediments Site

Hi Sean,

It was great talking with you this afternoon. As we discussed, NW Natural would like to revise the schedule for responding to your May 1st, 2013 request for a work plan. My proposal for revising the schedule is as follows:

1. NW Natural submits a technical analysis of the issue by next Friday (May 17th, 2013).
2. Within 45 days of that date NW Natural will meet with EPA to discuss the evaluation and to determine if EPA still believes additional samples may be necessary. EPA will extend the deadline for initiating dispute resolution concerning the work plan request until 7 days after the meeting.
3. If sampling is not required we would not develop a sampling plan.

4. If EPA still believes that sampling is necessary we would evaluate data needs, data use and data quality objectives to be used in the development of a work plan. The schedule for work plan development would be produced at that time.

I agree with your goal of having a clear project timeline, and I appreciate your willingness to consider this revised schedule approach.

I hope you have a great weekend,

Bob